IV. REMARKS

Claims 1-21 are pending in this application. By this amendment, claims 2, 12 and 18 have been amended and claim 21 has been added. Applicant does not acquiesce in the correctness of the rejections and reserves the right to present specific arguments regarding any rejected claims not specifically addressed. Further, Applicant reserves the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claims priority to the instant application. Reconsideration in view of the following remarks is respectfully requested.

In the Office Action, claims 1-20 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Yokouchi (U.S. Patent Pub. No. 2001/0004258 A1), hereafter "Yokouchi," in view of Anderson *et al.* (U.S. Patent Pub. No. 2003/0206316 A1), hereafter "Anderson."

With regard to the 35 U.S.C. §103(a) rejection over Yokouchi in view of Anderson, Applicant asserts that the combined features of the cited references do not teach or suggest each and every feature of the claimed invention. For example, with respect to independent claims 1, 11 and 17, Applicant submits that, contrary to the Office's assertion, Anderson fails to teach or suggest, *inter alia*, saving the composite image based on the composite image template and the at least one image. The Office admits that Yokouchi never explicitly teaches saving the image. Office Action, page 3, par. 3. The Office attempts to cure this deficiency with Anderson, which the Office states teaches that the images are initially stored in camera storage and merged with templates from the template storage 150 and saved in the computer 130. Office Action, page 3, par. 2. However, the portion of Anderson cited by the Office only teaches that the components that are applied to the image to create the image/template composite are stored, not the

image/template composite, itself. Page 3, par. 0047. Furthermore, in detailing the steps a user

performs in choosing templates and images to be merged, Anderson never teaches or suggests

that the image/template composite is saved, but instead only teaches that "...the user may then

print the image/template composite, via step 1450." Page 4, par. 0053. In contrast, the claimed

invention includes "...saving the composite image based on the composite image template and

the at least one image." Claim 1. As such, it is not merely the components that are saved as in

Anderson but instead the composite image based on the composite image template and the at

least one image. Furthermore, the composite image based on the composite image template and

the at least one image is not merely printed as is the image/template composite in Anderson, but

is instead saved. Thus, the saved components and printed image/template composite of

Anderson are not equivalent to saving the composite image based on the composite image

template and the at least one image as included in the claimed invention. Accordingly, Applicant

respectfully requests withdrawal of the Office's rejection.

With respect to claims 2, 12 and 18, Applicant submits that cited references fail to teach

or suggest generating a composite image template file that describes the composite image

template using a graphical user interface. The Office admits that Yokouchi does not teach this

limitation explicitly, but states that it teaches the limitation implicitly by teaching that template

files have several portions that describe various aspects of the images and file. Office Action,

page 4. However, Yokouchi never teaches generation of the template file, but only the use of the

template file to generate a composite image by changing the file names of the layout images.

Page 7, par. 0142. Furthermore, Yokouchi never teaches the use of a graphical user interface.

Similarly, Anderson does not teach generating the template files, but only applying stored

templates to an image to form an image/template composite. Page 3, par. 0047; page 4, par. 0053. In addition, Anderson also does not teach generating template files using a graphical user interface. The claimed invention, in contrast, includes "...generating a composite image template file that describes the composite image template using a graphical user interface." Claim 2. As such, the claimed invention does not merely use a template file as in Yokouchi or apply stored templates as in Anderson, but instead generates a composite image template file that describes the composite image. Furthermore, the claimed invention generates the composite image template file using a graphical user interface. As such, the using of a template file in Yokouchi and application of stored templates in Anderson are not equivalent to the generation of a composite image of the claimed invention. Accordingly, Applicant respectfully requests that the Office withdraw its rejection.

With further respect to claim 21, Applicant respectfully submits that the cited references also fail to teach or suggest that at least one image area is not rectangular. Instead, all references to image areas in the cited references indicate that these areas are rectangular. In contrast, the claimed invention includes embodiments in which, at least one image area is not rectangular. See e.g., Fig. 4. Accordingly, Applicant requests that the rejection be withdrawn.
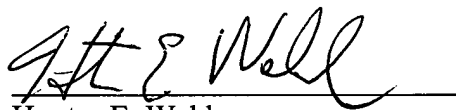
With regard to the Office's other arguments regarding dependent claims, Applicant herein incorporates the arguments presented above with respect to the independent claims listed above. In addition, Applicant submits that all dependant claims are allowable based on their own distinct features. However, for brevity, Applicant will forego addressing each of these rejections individually, but reserves the right to do so should it become necessary. Accordingly, Applicant respectfully requests that the Office withdraw its rejection.

V. CONCLUSION

In light of the above, Applicant respectfully submits that all claims are in condition for allowance. Should the Examiner require anything further to place the application in better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the number listed below.

Respectfully submitted,

Date: March 17, 2005

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